### SMITH BOUGHT THE PISTOL.

RAND FLATLY TELLS THE NAN PATTERSON JURY 80.

The Smiths Are Cxhibited to the Jury. but the Fact That They Avoided the First Trial Is Excluded-Rand Says They Lived on Casar Young's Money.

\*The revolver with which Caesar Young was killed had been bought the day before at the pawnshop of Hyman Stern by Morgan Smith, brother-in-law of Nan

Thus Assistant District Attorney Rand in his opening address to the jury yesterday, promised to reenforce for the second trial of Nan Patterson the evidence that she murdered Young in pursuance of a plot deliberately formed. It was the first time that the prosecution had directly charged Smith with having bought the pistol, and Mr. Rand's blunt statement caused a stir among the chorus girl's counsel and made her uneasy. Mr. Rand gave no indication of how he intends to prove that Smith bought the pistol, the surmise being that either Stern would identify Smith or that there was evidence in the letters taken from the Smiths at Cin-

Abe Levy, of counsel for Miss Patterson, admitted that he was surprised by Mr. Rand's statement. He says, however, that he will be able to prove that Smith could not have been the buyer of the re-

"We have evidence absolutely irrefutable," he sa'd, "that Smith could not have bought that piatol. It would have been a physical impossibility, unless he had wings. We can prove by five or six responsible witnesses that Smith could not have been at Stern's pawnshop when the pistol was

THE MORGAN SMITHS BROUGHT INTO COURT. That Smith and his wife, Julia Patterson Smith, sister of the prisoner, will be important figures in the second trial was made plain before yesterday's session was over, A few minutes before Recorder Goff adjourned court, the Smiths were brought over from the Tombs, to be identified by Detective Quinn of the Leonard street station. Quinn had been describing the scene in the Coroner's court a few hours after Young had been killed. After he had told her that Young was dead, Nan Patterson

\*Oh, why did he do it? If he's dead I might as well kill myself. He had everything to live for. If he's dead I want to

Then, in the Coroner's court, Miss Patterson asked Quinn to take his billy and kill her. A second later Smith and his wife walked into court. Smith took the chorus girl's hands and led her to a chair. Mrs. Smith sat next to her. Quinn went on: "The defendant said, 'Oh, Morgan, Cæsar is dead.' Then I looked at Smith.

He was green, almost -- " Assistant District Attorney Garvan stopped the witness and motioned to a court officer at the back of the room. A door was opened and Smith and his wife came in. They were marched up to the rail within a few feet of Nan Patterson. Mrs. Smith was paie. Her sister fidgeted.

Smith's strawcolored head bobbed far above his wife's. Mr. Levy was on his feet in a jiffy. He looked at the Smiths, then at his client and shouted a protest. "Is this a theatrical demonstration?"

he asked.

"No, it is not." said Mr. Rand. "It will be seen why they are here."

Pointing to Smith, Mr. Garvan asked:

"Is this the J. Morgan Smith you saw in the Coroner's court?"

"It is," replied Quinn.

"And this is Mrs. J. Morgan Smith?"

"Yes sir."

Mr. Garvan tried to get before the jury nat the Smiths had been fugitives from

this jurisdiction for nine months. He asked Quinn if he had seen either of the Smiths since that day in the Coroner's court. Before Quinn could answer, Mr. Levy's ob-

fore Quinn could answer, Mr. Levy's objection was sustained.

At no time in the forty odd days that Nan Patterson has been in court since her first trial began has she looked so fatigued. The morning session was cut short because she complained to her counsel that she was tired out. When she got over to the Tombs she fell in a faint and Dr. Maguire, the Tombs physician, was called to treat her. She was very pale and worm looking all through the afternoon session.

the afternoon session.

Long before court opened there was a crush at the door. A squad of police saw to it, however, that only those who had cards from some one in authority got in. About a dozen women had seats in the back part of the court room.

#### PROSECUTOR'S OPENING.

Mr. Rand began his address by impressing upon the jurors their responsibility. A great sensation had been made of the case, Mr. Rand said, but it was the duty of everybody connected with the trial to forget what had gone before and consider only the evidence.

"Remember that your minds are to be erased tablets," said Mr. Rand, "to be impressed by only what is said in court under oath. It sounds simple, but it is hard, very bard, especially when the defendant is of the sex in which we look for the virtues that adorn and beautify human nature and where we do not seek vice and degra-dation that can lead to serious crime. If it be a crime for a man to kill a man it is no less a crime for a man to kill a man it is no less a crime for a woman to kill a man. This is not a court of honor, chivalry or morals, as one of you suggested when he was being examined; it is a court of law, a court of justice. You must remember that this woman comes before you an innocent woman—innocent in the eyes of the law as any woman in your household. You must not take against this woman her mode of life. You have all agreed that she is on trial here, not for her chastity, but for murder. A woman of the loosest morals is entitled to as fair a trial as a woman of the fairest virtue.

But the question of her past life enters here. If she takes the witness stand her.

here. If she takes the witness stand her credibility is at issue, and her past character should be considered."

### MUBDER PLANNED THE DAY REPORE.

Mr. Rand said it would be shown that only Mr. Rand said it would be shown that only
a monkey could have inflicted on himself
the wound that killed Young. It would be
proved, he said, that a conspiracy was
hatched to keep Young's money in the defendant's family, and was about to fail.

"The killing of Cassar Young was planned
the day before he died, and the weapon the day before he died, and the weapon that inflicted the latal wound was procured that day. Only one person living can tell how Young was killed. The law forbids us to call that person as a witness, but we intend to pr ve this crime with facts and circumstances that are consistent only with murder by this defendant."

Into the story of the Kunng of Young, Mr. Rand said, would come the life of the Tenderloin, all night saloons, roving cab men, and the garish underworld of a great city. Young had been a gambler, "square as a die," not a bad man—a man with the vices and virtues that go with his class. Handsome, rich and jovial, spending his money freely, he was always meeting women who attracted him, and he was an

Mr. Rand paused and looked at Nan Patterson. She knew what was coming. Her picture was to be painted and having heard Mr. Rand twice before, she knew he was an artist. She compressed her

ips and waited.
"Nan Patterson, the defendant at the bar," Mr. Rand said, "married at an early bar," Mr. Rand said, "married life. age. After only a year of married life, she went on the stage. I don't know that she achieved a great measure of success; my impression is that she played a minor she went on the stage. I don't know that she achieved a great measure of success; my impression is that she played a minor part in some comic opera company on the road. Let her if she will paint her own picture, or let the evidence paint it for her. I do not want to use that name that smen use in speaking of the frail sisterhood.

whose love of ease and love of money is greater than their love of virtue. She had been Color Young's mistress for a year. She had been cust off twenty-five days before his death."

SMITHS LIVED ON YOUNG. Then Mr. Rand referred to the Smiths.
Mrs. Smith was employed in the Treasury
Department in Washington when she
met Smith. He was described as a man
of good family and breeding, but "with
a streak of deprayity in him that overcame everything."
Mr. Levy protested against Smith's

a streak of depravity in him that overcame everything."

Mr. Levy protested against Smith's
name being brought into the case.

"Smith is indicted for conspiracy," said
Mr. Rand bruskly, "and I will show by
witnesses that there was a conspiracy
hatched to keep Young's money in the
possession of this trio and that next to this
defendant the chief actor in this conspiracy
was J. Morgan Smith. In order to show
what sert of an outfit this was, I've got to
do it. Smith who on his uppers when
his wife met Young, who maintained Nan
Patterson as his mistress. Nan Patterson
was generous and she wouldn't see her
sister and brother-in-law without the good
things of life. The Smiths didn't have a
thing that didn't come from the amorous
generosity of Cæsar Young."

Young spent \$50,000 on the chorus girl,
Mr. Rand said, and Lawyer Unger muttered "Fiddlesticks." That angered Mr.
Unger sit in "the kitchen or some other
fitting place" if he couldn't stop interrepting.

Mr. Rand described the breaking off of

Mr. Rand described the breaking off of Mr. Rand described the breaking on of the relations beween Young and the prisoner and his proposed departure for Europe with his wife, his meeting the prisoner on sailing day and starting down to the ship with her, and his death in the cab. Then be called a few preliminary witnesses and the case went over to to-day.

MOTION TO RECOVER LETTERS DENIED Justice Gaynor denied yesterday the motion of H. R. Limburger, counsel for the Smiths, to compel the District Attorney o turn over to him all the letters and property taken from the Smiths when they were arrested at Cincinnati. Justice Gay-nor says the police have the power to search a person arrested. In the case of the Smiths ustice Gaynor says that the complaint lleges that the indictment "charges no rime, from which it follows that the plaintiff and his wife have no need to get pos-session of the letters to prepare for their defense."

Mr. Limburger said vesterday afternoon that he intended to adopt some other method to get the papers.

BILLS SIGNED BY GOV. HIGGINS.

One Requires Trust Companies to Report Their Condition Every Three Months.

ALBANY, April 24.-Gov. Higgins has signed the bill of Senator Davis bringing trust companies under the section of the State Banking law which authorizes and directs the Superintendent of Banks to call on banks and banking associations for a report at least once in every three months of their condition at the close of business on a certain specified day. In case of insolvency these institutions are required to give a list of preferred deposits, the form and manner of the statement to be made.

The Governor has also signed the bill of the Senate Forest, Fish and Game Committee, making the State Forest, Fish and Game Commissioner, instead of the chief game protector, responsible for the enforcement of all laws and regulations for the protection and regulation of the State forests, creating an additional assistant chief forest, fish and game protector and requiring forestry inspectors, protectors and fire wardens to report forthwith all cases of tresspass to the Superintendent of Forests, and giving them power to arrest without warrant any person found violating the laws and regulations for the protection

of the State forests.

Among the other laws signed by the Governor are the following:

Mr. Merritt s, making it a crime to request or advise a female to become an inmate of a disorderly house.

Senator Martin s, requiring public officers who place dependent children in families to report to the State Board of Charities the particulars with relation to each child placed out.

Only the season ing inducement the opportunity of the faithful. The collection posed of 200 posed of 200 posed.

Delaware River between this State and Fennsylvania.

Mr. G. H. Whitney's, making it a misdemeanor for a person to give a false alarm of fire, or to tamper with any fire alarm box or other part of the fire alarm system.

Mr. Wainwright's, providing that a school district from which State moneys have been withheld for failure to enforce the provisions of the [compulsory education law shall be entitled to receive the came if the provisions of the act are compiled with within one year of the time the moneys have been withheld senator Lisberg's, authorizing the thamberisin of New York city to havest trust findings in the corporate stock bonds of that city.

city, senator Tully's, requiring the Health Officer of the Port of New York to make an annual itemized statement of his receipts and dis-

Mr. Prentice's, making it a misdemeanor Mr. Frentice's, making it a misdemeanor to sell any article of merchandise constructed wholly or in part of gold when the same is marked at a greater carat of fineness by one carat than the actual quality.

Mr. Prentice's, including goldware within the application of the statute which now prohibits the manufacture or sale of spurious allyerware.

Mr. Freidel's, providing for the cancellacertain unpaid assessments against y of the Feeble Infant Asylum of

tion of certain unpaid assessments against property of the Feeble Infant Asylum of New York city.

Mr. Stanley's, authorizing New York city to make further appropriation of \$40,000 for the American Museum of Natural History.

Mr. Higby's, authorizing Yonkers to raise \$20,000 for highway purposes.

Mr. La Fetra's, authorizing the authorities of New York city to repair any damages by fire or otherwise to the buildings of the New York. Brooklyn and Queens borough public libraries.

York. Brooklyn and Queens borough public libraries.

Senator Carpenter's, amending the Charter of New York city prescribing in detail the procedure of commissioners appointed by the Board of Estimate and Apportionment to ascertain damages and benefits derived from local improvements in that city.

Mr. Hornidge's, authorizing the Board of Estimate and Apportionment to make provision annually for the support of the New York city Reformatory for Misdemeanants.

Senator Marks's, providing that all barges and steam vessels engaging in excursions within a radius of forty-five miles of a city having a population of a million inhabitants shall have steel or iron deck beams or frames, and making it a misdemeanor, punishable by a fine of not more than \$1,000 or imprisonment not to exceed two years, for the owner or maxive of such vessel to violate this provision of law.

or master of sich vessel to violate this pro-vision of law.

Senator Hill's, providing that a truant officer in the performance of his duties may enter, during business hours, any factory, mercantle or other establishment within his Jurisdiction and shall be entitled to ex-amine employment certificates of children employed therein. Any person interfering with the truant officer in the discharge of his dury shall be guilty of a missiemeanor.

th the truant officer in the discharge of his try shall be guilty of a misdemeanor. Mr. Apgar's, adding Rookland and West-ester counties to these in which there is no sen senson for wild deer.
Mr. Reeve's, making it a misdemeanor to iv or sell game out of season. Also proding a penalty of \$50 for each black bear ken out of season and prohibiting the taking killing of land turtles or tortoises. Senator Cooper's, providing that when a cal branch of the Y. M. C. A. ceases to carry it the objects of its formation and dissolves to state executive committee may take possesion of and manage the property of the me or may, by a two-thirds vote, order sale.

Burnett's, authorizing New York city o cancel assessments for local improve nents against the Manhattan Hospital.

Another Barge Canal Contract Awarded. ALBANY, April 24.-State Superintendent of Public Works Franchot to-day awarded contract 6 of the barge canal work near South Greece, west of Rochester, to F. A. Maselli & Co. of Pittsburg, Pa., who were the low bidders at \$1,005,983. This is the last of the six pending contracts for which bids were received in December last. The remainder of the contracts have already been executed, and active work,

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Involved in this series of \$20 suits are all the new gray tones in smooth and unfinished worsteds, black thibets, blue and black serges.

WM.VOGEL&SON Broadway, Houston St.

OFFICER TO PRIVATE'S RESCUE. Mishap When Company of Regulars Start for Pennsylvania.

Company E, Eighth Regiment, U. S. A., went to Wilkesbarre yesterday at the invitation of Gov. Pennypacker of Pennsylvania This company is said to be the best drilled of any of the regulars in the Department of the East. Gov. Pennypacker saw them drill last winter in Philadelphia and he was so pleased that he arranged this trip. The State of Pennsylvania pays the freight and the company will give an exhibition before the Governor and his staff to-day They will start home at midnight.

The infantrymen left Governors Island at 7 o'clock yesterday morning on the Quartermaster's tug Wukoff, which took them to Jersey City and tied up at the Pennsylvania Railroad pier. The tide was ow at the time and the soldiers had to stand on the rail of the tug and climb to the dock. In doing this Private Slater slipped and fell overboard between the tug and the dock. Weighed down by his

equipment he went out of sight. Lieut. A. L. Halpin was on the tug watching the men disembark and saw the private go overboard. The Lieutenant got outside the rail of the boat where Slater had disappeared and waited for him to bob up. When he did so he got him by the hair and soon had him ashore. The tug was pounding against the dock at the time. The private was none the worse for his ducking. He was advised to go back to Governors he Superintendent of Banks prescribing Island, but he wanted to continue the trip and he was allowed to do so.

#### TWO END SEASON ART SALES. Van Elten Paintings and John Russell

Young's Porcelains to Go at Auction. For the wind-up of the art sales season at the American Art Galleries, which comes this week, there are two collections to come under the auctioneer's hammer. Both are on exhibition in the galleries preliminary to their sale, which takes place on Thursday and Friday evenings and Friday afternoon. Both sales will be held in the American Galleries. Mr. Kirby will be the auctioneer, after which he will hie him to the green fields of Westchester and rejoice in well doing and placid diversions. So these "last days" present not only the season's last chance at the pleasing inducements of the auction room, but the opportunity also for the seasonal devoirs

The collections to be dispersed are composed of 200 paintings by the late Kruse-Mr. Cowan's, authorizing the State Super-trendent of Public Works to investigate as to the acquisition of toil bridges across the elaware River between this State and Penn-dysale. man van Elten, N. A., and 175 catalog e lots Russell Young of "Around the World with Grant' fame, and Minister to China from 1881 to 1885. The paintings are to be sold at the order of Mr. van Elten's executor, and under the direction of the Artists' Aid Society of New York; and Mr. Young's collection comes under the hammer at the order of Mrs. Young.

To those who have shared a common error of considering Mr. Van Elten as a painter after the manner of the "Hudson River School," this exhibition of his paint-ings will come as one full of surprises. He did not stop at that stage of development, but came to paint broadly, more interest-ingly and with a sympathetic feeling that made him interpret nature more intimately han the formal associates of one period of his life. There is a great plenty of can vases of the older tashion in the exhibition vases of the older (ashion in the exhibition, but there is a surprising number of worthy paintings in the more modern manner—paintings of wood and field, of stream and meadow, and bay and bayside, which carry the beholder by suggestion to many remembered haunts of pleasant hours.

Mr. Van Elten felt the charm and the attraction of salt water and salboats, and set

traction of salt water and sailboats, and set traction in several canvases depicting boats under sail or drawn up along shore, or hauled out, or in the grass of inlets at low hauled out, of in the grass of mees at low tide, or idling in calms. The man who had painted forests in the dull masses of an older school, painted also half cleared woodland under the spell of an autumn haze, and moist frieadows swept by gentle breezes between vernal showers. Holland and Long Island, distinct but equally inviting, becken in his distinct, but equally inviting, becken in his canvases. He found subjects also in Jersey, Normandy and New England. A greater pleasure vill attend discovery of the

greater pleasure will attend discovery of the painter's happier moments, on even a casual visit to the exhibition, than could come from perusal of an imperfect guide, designating the number to be sought.

Mr. Young's collection includes Chinese and Japanese porcelains and potteries, Japanese bronzes and swords, and Chinese cloisonne enamels, with sundry other Japanese bronzes and swords, and Chinese cloisonne enamels, with sundry other Oriental products. There are bundles of Japanese paper presented to Mr. Young as specimens of the perfection of Japanese art in paper making. There is a Satsuma dish given to Mr. Young by Minister Yoshida, a former representative of Japanese Washington: a Satsuma bowl given him former Prime Minister Iwakura of Japan, and a bronze incense burner pre-sented to him by a member of the Imperial family on one of Mr. Young's visits to

family on one of Mr. Young's visits to Japan on a diplomatic errand.

Among the other objects received as presents by Mr. Young is a decorated porcelain vase given him by Li Hung Chang. A large cloisonne enamel vase is described in the catalogue as a companion to a pair which Gen. Grant purchased on his round the world trip. Nineteen of the porcelains are duplicates of pieces in the Hippesley collection in the National Museum at Washington.

The paintings are to be sold on Thursday and Friday evenings. The Young collection will be sold on Friday afternoon.

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DERBY DESK CO.

Offers, at factory prices, a complete line of

Roll and Flat Top Desks, Chairs, Tables, etc. SALESROOMS: 330 Fifth Ave. 145 Fulton St.

ALLIED BUILDING TRADES. New Central Body Which Will Take Up

Labor Disputes in the Industry. It was stated yesterday that the name late this week or early next week.

It will consist of the union representatives on the general arbitration board of the Building Trades Employers' Association and will contain two representatives from each of the thirty-two unions. James Hatch of the Upholsterers' Union, vice-chairman of the convention at which the new arbitration agreement was adopted on Saturday, made the following announcement last evening:

lessee, manager or employee of such a place, excludes any person therefrom without just cause or excuse shall be guilty of a misdemeanor.

Assemblyman Wilsnack's bill, which is designed to put Joe Cassidy, the autocrat of Queens borough, out of control of the Democratic organization there, was ad-

Saturday, made the following announcement last evening:

"The new central body will work in harmony with the employers in adjudicating grievances. It will insist on the unions rigidly observing the arbitration agreement, and we expect the Building Trades Employers' Association to take the same course with its trade associations of employers.

"If there is a grievance against the union or any union dispute the matter will first be taken up by the new central body. If that body fails to settle the trouble it will refer the case to the general arbitration board. Failing a settlement through this board, the question will be referred to a special committee of employers and employees, which will give a decision. If this decision is not accented, a disinterested decision is not accepted, a disinterested umpire will be chosen, whose decision will be final. In case the union affected refuses to accept this decision, it will be expelled from the central body. This will be in effect a lockout, but not an arbitrary lockout, by the employers."

BAKERS TALKING STRIKE NOW. Will Fight Over a Ten Hour Work Day 'on Trades Union Lines."

A statement was made last evening on behalf of the Greater New York executive board of the bakers' unions to the effect that the unions are strong enough to enforce the ten hour work day, though the law has been declared utions itutional

The statement continues:
"Out of 3,000 union bakers in this city,
2,000 have an agreement for a year beginning May 1 with the employers providing for the ten hour workday. This is independent of any law. The employers are
hound by this agreement, and if they violate it the bakers will strike. We will organize as thoroughly as possible and fight
for the ten hour day on trades union lines."
There are from 5,000 to 6,000 non-union
bakers in the city, who are employed prinbakers in the city, who are employed prin-cipally in the small bakeries.

HOOKER MAY BE REMOVED. The Assembly Committee Has Practically

Decided Against Impeachment. ALBANY, April 24.—The chances are that an extraordinary session of the Legislature may have to be called to consider the case against Supreme Court Justice Warren B. Hooker. To-night the Assembly Judiciary Committee held an exclusive session. The members are very guarded in saying what was done in executive session, but sufficient is known to indicate that the committee has practically dismissed the idea of reporting a resolution providing for im-peachment, but will probably report a reso-

beachment, but will probably report a reso-lution for the removal of Justice Hooker. The committee has until next Thursday to complete its report to the Assembly. It will have to include in that report the ground upon which it recommends removal. After that charges will have to be served upon Justice Hooker. On this point the

nstitution says:
"But no officers shall be removed by virtue of this section except for cause, which shall be entered on the journals of both houses, not unless he shall be served with a statement of the cause alleged and shall have had an opportunity to be heard on the question of removal."

Justice Hooker was heard only on the ques-tion of rentals of the Bunkirk post office

to the fair price to be charged for renting the building to the postal authorities. On the other points he did not call a witness. The committee is to meet again to-morrow and may take decisive action then. The belief is prevalent that the committee will report a resolution recommending removal. But the question of procedure must first be settled before anything can be done.

#### STATE WATER BILL. Republicans Discover That It Confers

Sweeping Powers on the Commission. ALBANY, April 24.-The Agnew State Water Commission bill is to encounter some

opposition in the Senate among the Republican leaders, and it is more than likely that it will be amended before it passes the upper house. To the dismay of Senator Malby, he discovers that the bill confers powers upon the commission to supervise and control every available water supply in the State. When the Pepublicans were framing this

When the republicans were framing this bill and sending it along it was thought that it would simply affect Mayor McClellan's desire to give New York city an adequate water supply and give the State control over that supply. But it has been discovered that the bill would also apply to the Adirondacks as well as to the sources from which New York streets to get its water in the

The powers of the State commission are considered to be too sweeping, according to Senator Malby. Under the Agnew bill it will be possible for the State commission to supervise the acts of the State Water Storage Commission, appointed under an act of Legislature last year, and which is expected to soon get busy in the interests of the pulp and lumber mill interests of the

## THE NEW MORTGAGE TAX BILL

IT IS TO BE REPORTED THURS-DAY OR FRIDAY,

And Will Exempt Mortgages Held by Building and Loan Associations-Bill to Put Cassidy Out of Control in Queens trab for Patronage in This City.

ALBANY, April 24.-Senator Lewis, chairman of the Senate Taxation Committee, said to-night that he is working upon an amended mortgage tax bill which will be reported from his committee by Thursday or Friday, and which he hopes will be passed in both Houses promptly under an emergency message from the Governor Aside from smoothing out the machinery, Senator Lewis said the only important amendment would be the one exempting from the tax mortgages held by building and loan associations.

William Church Osborn of New York city was in Albany to-day in the interests of the proposed amendments to the corrupt practices law designed to prevent the illegitimate use of money at elections. Mr. Osborn insists that the bill shall be passed in the Assembly without amendment. It has al-

ready passed the Senate. Senator Cullen (Dem., Brooklyn), tonight introduced a bill which would be of decided advantage to Editor Metcalfe of Life in his fight against the New York city Theatrical Trust. The bill provides that of the new central body representing the all persons within the jurisdiction of this building unions working under the arbitra- State shall be entitled to the full accomtion agreement will be the Allied Building | modations, advantages, facilities and privil-Trades, and that it will be organized either leges of licensed theaters and places of amusement, and a person who, as owner It will consist of the union representa- lessee, manager or employee of such a place,

vanced to a third reading in the Assembly to-night. The Democrats opposed the bill and Assemblyman Sullivan, Cassidy's personal representative, wanted it amended so as to exclude the First and Second wards of the former city of Long Island City, but it was voted down.

The bill is designed to permit the Democrats to go to the primaries next September and by their votes get control of the organization away from Cassidy. It provides that the basis of representation for borough, county and Assembly district conventions shall in the wards be upon the pasis of votes cast for the candidate for Governor at the last preceding State elec-tion and shall be in the ratio of one dele-gate for every 100 votes cast, or the major part of 100 votes cast, in each ward for

Governor.

William Halpin, acting for his boss, Tom Hamilton, has caused to be introduced as neat a grab bill for patronage as any that has come before this session of the Legislature. It was introduced by Assemblyman Beiniff and was advanced to a third seed in the Assembly to-night. It is men Beiniff and was advanced to a third reading in the Assembly to-night. It is designed to give Hamilton a lot of patronage, even should he fail to be elected next fall, providing he is renominated for County Clerk of New York county.

The bill creates the office of Commissioner of Records for New York county and the Commissioner is to be appropried.

sioner of Records for New York county and the Commissioner is to be appointed by the County Clerk, who is Hamilton. The Commissioner of Records is to be appointed for six years, five years more than the present County Clerk has to serve, and he is to appoint his own subordiates, \$100,000 being appropriated for the expenses and salaries of the different appointees. At the end of six years the office is to cease.

office is to cease.

Assemblyman Berhief explains that the Commissioner is necessary to get the records of the County Clerk's office in first class, shape, but it was not until this year that this shape, but it was not until the year that this shape, but it was not until this year that this necessity was discovered. Even should another County Clerk be elected next fall pe could not disturb the Commissioner of Records or any of this appointees. The Commissioner of Records is to have the exceptional power of fixing the salaries of subordinates in his office, irrespective of the Board of Estimate and Apportionment and the Board of Aldermen. Gov. Higgins sent to the Senate the nomi-

Frederick Kilburn of Malone to nation of Frederick Kilburn of Malone to succeed himself as State Superintendent of Banking, and that of Charles A. Wieting of Cobleskill to succeed himself as State Commissioner of Agriculture. The nominations were confirmed by the Senate.

The hopes of the State Barbers' Commission to grow fat at the expense of journeymen barbers and apprentice boys were dashed to the ground to-night when the Assembly killed Assemblyman Hartman's bill providing that each barber in the State

bill providing that each barber in the State must pay an annual tax of \$1 a year and apprentice boys 50 cents. Forty-three members voted in favor of it and sixty-six against it.
The State Barbers' Commission has been

enjoying many good things since it came into existence two years ago. It has collected and spent for itself \$22,000 and is now bankrupt and will have to get out of business. The Hartman bill would have given them \$87,500 a year to spend on themselves as they saw fit.

The Assembly Rules Committee will

The Assembly Rules Committee will not get hold of two bills which that body dominated by Speaker Nixon, has always looked upon as its legitimate prey. They are Senator Goodsell's bills in the interest of the Belmont syndicate. One authorizes the abandonment of unprofitable routes in The Bronx section of New York city in The Bronx section of New York city and the other permits the use of the abandoned Steinway tunnel franchise to connect Mr. Belmont's Long Island railroads with his Manhattan Island properties at Fortysecond street. The bills were advanced to a third reading in the Assembly to-night and were then made a special order for final passage on Wednesday.

Senator Railroad shall complete its bridge recting Railroad shall complete its bridge.

years the time in which the New York Con-necting Railroad shall complete its bridge over the East River at Hell Hate and also its railroad were advanced to a third read-ing in the Assembly.

The Assembly passed Assemblyman Hartman's hill increasing the pay of the street sweepers in New York city \$00 a year, reaking the compensation \$700, giving making the compensation \$780, giving them eight days vacation in the summer time with pay, providing they shall not be compelled to work on Sunday, and if they composed to work on Sunday, and it they do work they shall receive extra compensation; also that they shall receive time and a half for work performed in excess of forty-eight hours a week.

Majority Leader Rogers defeated Assemblyman Fish's bill, which was desired by the State Board of Charities. It produced that the Compress should appoint the

by the State Board of Charities. It provided that the Governor should appoint by July 1 next a commission to take charge of the new boys' training school to take the place of the Randall's Island institution, which is to be located within fifty miles of New York city. Mr. Rogers's objection to the bill being passed at this time was that Comptroller Keisey, who was a member of the commission appointed by the Governor last year to secure a site, had not been nor last year to secure a site, had not been consulted and until he had heard from Mr. Kelsey he would oppose the bill. Mr. Fish will call it up again.

will call it up again.
Senator Stevens's bill limiting the amount of money which any financial institution can ican to another person, corporation or firm passed the Assembly.

The Senate passed Senator Allda's bill substituting boards of managers for State boards of visitations for the insane hospitals. Senator Levis's exempting benefits of the senator levis's exempting benefits to the senator levis to t pitals; Senator Lewis's, exempting bequests to charitable, educational and religious institutions from the collateral inheritance tax; Assemblyman Stanley's, giving the New York Park Commissioner jurisdiction over and control of West End avenue above West Seventieth street; Senator Newking's, extending the Grand Rouleyard nue above West Seventieth street: Senator Hawkins's, extending the Grand Boulevard and Concourse from 188th to 18th street, and Assemblyman O'Neil's, designating a site for a public library in Brooklyn.

Assemblyman Hartman introduced the bill of last year, which compels corporations when filing their incorporation papers with the Secretary of State to also file copies of their franchises. This is aimed at the New York city concerns which are said to be operating under dead franchises.

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ART SALES AND EXHIBITIONS.



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Finished Pictures and Studies BY THE LATE Kruseman van Elten,

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The Artists' Aid Society. on THURSDAY and FRIDAY EVENINGS of this week, April 27 and 28, at 8 o'clock.

April 27 and 20, at 6 0 clock.

By the terms under which the Artists'
Aid Society takes charge of the sale of a
member's studio effects, only those pictures
which its committee selects can be offered,
while all others are destroyed or placed
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authority has been given to the Society by authority has been given to the society by Mr. van Elten's executor and family to do this, so we can confidently assert that this will be the only opportunity to obtain any choice of his works. Those here offered have been most carefully selected from the accumulation of a lifetime, and are worthy of places in our best public and private collections.

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Chinese Porcelains,

CLOISONNE ENAMELS, JAPAN-ESE BRONZES AND OTHER ORIENTAL OBJECTS COLLECTED BY THE LATE HON.

John Russell Young.

MINISTER PLENIPOTENTIARY TO CHINA FROM 1881 TO 1885,

belonging to and to be sold at unrestricted public sale by order of his widow, MRS. JOHN RUSSELL YOUNG. on FRIDAY Afternoon,

of this week, April 28, BEGINNING PROMPTLY AT 3 O'CLOCK. INCLUDED ARE A NUMBER OF OB-JECTS PRESENTED TO MR. YOUNG BY VICEROY LI HUNG CHANG, PRINCE KUNG, THE PRIME MINISTER OF JAPAN, IWAKURA; M. YOSHIDA FORMER JAPANESE MINISTER TO THE UNITED STATES; A MEMBER OF THE IMPERIAL FAMILY, JAPAN, AND A SIAMESE COURT OFFICIAL, AS WELL AS OBJECTS GATHERED DURING HIS

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When a garter is comfortable—doesn't slip pesn't chafe — doesn't bind, you may depend on it on it being a Nealon. The Nealon Garter with the non-elastic band outwears two of the ordi-

nary sort-besides they are most comfortable.

AUSTRO-ITALIAN BORDER ROWS. Usual Number of Minor Clashes Now Reported.

Special Cable Despotch to THE SUN. Malan, Italy, April 24.—The periodically ecurring wave of anti-Austrian sentiment in northern Italy has been fanned by some in northern Italy has been ranged by some recent minor incidents, such as the arrest and release on the Austrian frontier of the Count Villaporcia of Udine on the erroneous suspicion that he was a spy. At Trieste an Italian commercial traveler who had spoken disrespectfully of the Emperor Francis Joseph was sentenced to six weeks imprisonment at hard labor.

A number of Austrian students in a café

A number of Austrian students in a café at Perugia became involved in a dispute over a wine bill. They were taken to the police station, while the whole population police station, while the whole population of the town turned out and hooted them.

STOLE THE WATCHDOG. Burglars Rob Dentist and Propitiate His Collie With Milk.

OBANGE, N. J., April 24 .- A bunch of burglars up in Washington, Warren county, this morning broke into the bome of Dr. F. P. Farrow, a dentist, of Broad street, Washington. The office was protected by a Scotch collie. The thieves gave him milk and he instantly made friends with them. They stole gold caps worth about \$10 and the watch dog. The dentist has offered a reward for the return of the dog.

Gov. Higgins to Take a Rest. ALBANY, April 24.-Gov. Higgins said ALBANY. April 24.—Gov. Higgins said to-night that he was planning to go to Cambridge Springs. Pa. to spend several days to recuperate in a physical way after the closing of the legislative session. The Governor said the length of his stay there would depend on his condition. He spent some time at this resort after the close of the Gubernatorial campaign last fall. Cambridge Springs is not far from Olean. the bridge Springs is not far from Olean, the Governor's home.

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IF in doubt about the a cloth of your Spring Suit, make it a Hard Finished Worsted, this season's leading fabric. If you have a preference, however, for some other weave, we can show you literally hundreds of effects in Cheviots, Cassimeres, Soft Finished Worsteds and Serges.

We fit every figure, suit every purse. Subway Station just at our door.

IT'S HOME FOR THIS HORSE. Journeys Eighty Miles Alone to Get Back

ASTOR PLACE AND FOURTH AVENUE

to the Old Place. CHICAGO, April 24 .- A horse purchased on Saturday by Charles Eckart has proved itself exceptionally fond of its old home. In fact, the animal liked its former habitation so well that it walked and ran a dis tance of eighty miles on Saturday night to

Mr. Eckart, who is 78 years old and a milk dealer, bought the horse at Dwyer, Ind., and rode to this city on it. When he reached 106th street near midnight he became suddenly faint and fell off the animal. He lay unconscious on the ground for several hours. Then he was picked up and taken to his home, where he was revived.
Yesterday the police received word from
the home of the former owner that the animal was there.



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